



Atty. Dkt. No. 047912-0136

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenichi MIKI

Title: DATA READ/WRITE CONTROLLING METHOD, DISK ARRAY
APPARATUS, AND RECORDING MEDIUM FOR RECORDING DATA
READ/WRITE CONTROLLING PROGRAM

Appl. No.: 09/878,270

Filing Date: June 12, 2001

Examiner: J. D. Torres

Art Unit: 2133

RECEIVED

JUN 28 2004

Technology Center 2100

AMENDMENT AND REPLY UNDER 37 CFR 1.116

Mail Stop NON-FEE AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Final Office Action dated March 31, 2004,
concerning the above-referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on
page 2 of this document.

Remarks/Arguments begin on page 6 of this document.

Please amend the application as follows:



Atty. Dkt. No. 047912-0136

AF
61

Applicant: Kenichi MIKI

Title: DATA READ/WRITE CONTROLLING METHOD, DISK ARRAY
APPARATUS, AND RECORDING MEDIUM FOR RECORDING DATA
READ/WRITE CONTROLLING PROGRAM

Appl. No.: 09/878,270

Filing Date: 06/12/2001

Examiner: J. D. Torres

Art Unit: 2133

RECEIVED

JUN 28 2004

Technology Center 2100

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous
assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	12	-	20	=	0	x	\$18.00	=	\$0.00
Independent Claims:	5	-	5	=	0	x	\$86.00	=	\$0.00
First presentation of any Multiple Dependent Claims:							+	\$290.00	= \$0.00
CLAIMS FEE TOTAL									= \$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total
number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$0.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$0.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

June 22, 2004

By

Thomas G. Bilodeau

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

Thomas G. Bilodeau
Attorney for Applicant
Registration No. 43,438